

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
CASE NO. 1:14-CV-954**

**STUDENTS FOR FAIR
ADMISSIONS, INC.,**

Plaintiff,

v.

**UNIVERSITY OF NORTH
CAROLINA et al.,**

Defendants.

MOTION TO CONTINUE

Plaintiff Students for Fair Admissions, Inc. (“SFFA”) respectfully submits this Motion to Continue, seeking to move the scheduled trial date from June 8, 2020 to May 11, 2020. In support of this relief, SFFA states as follows:

1. On November 1, 2019, the parties filed a Joint Status Report, informing the Court of the anticipated number of trial days and the parties’ respective requests regarding the timing of trial. SFFA sought a trial in January of 2020. Defendants and Intervenors sought a trial date in late March or April of 2020.
2. On November 5, 2019, the Court scheduled trial to begin on June 8, 2020.
3. Because the parties had not considered a trial date in June 2020, they conferred regarding availability of counsel and witnesses for a two-week trial at that time.
4. SFFA has multiple conflicts with those trial dates.

5. SFFA's primary expert has conflicts on June 12 and 15, 2020, arising from his son's graduation from Stanford on June 14, 2020.

6. SFFA's lead trial counsel has a longstanding out-of-state family obligation beginning Wednesday, June 17, 2020; this renders him unavailable for trial for that date and the remainder of that week (that is, the final three days of the scheduled two-week trial).

7. SFFA attempted to work through these conflicts with counsel for Defendants and Intervenor. The parties considered a number of possibilities before coming to an agreement that all parties would be available for a two-week trial starting May 11, 2020.

8. SFFA is authorized to state that Defendants' and Intervenor's position is that the Court should proceed with the June 8, 2020 trial date but that both UNC and Intervenor are available to participate in a two-week trial starting May 11, 2020 if the Court is open to rescheduling.

WHEREFORE, SFFA seeks an order granting this Motion and resetting the trial in this matter to begin on May 11, 2020.

Respectfully submitted this 23rd day of December, 2019.

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CERTIFICATE OF SERVICE

I hereby certify that I served the foregoing Motion to Continue via the Court's electronic filing systems, pursuant to the Electronic Filing Procedures, on all attorneys of record who have entered an appearance by ECF in this matter.

This 23rd day of December, 2019.

/s/ Thomas R. McCarthy
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